

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

PHILLIS S. BYRGE on behalf of the Estate of
REDDIN BYRGE,

Plaintiff,

v.

PREMIUM COAL COMPANY, INC. and OLD
REPUBLIC INSURANCE COMPANY,

Defendants.

CASE NO. 3:16-cv-136-CCS

MOTION TO ALTER OR AMEND JUDGMENT

Defendants Premium Coal Company Inc. and Old Republic Insurance Company, by counsel and pursuant to Rule 59(e) of the Federal Rule of Civil Procedure, respectfully move to alter or amend the Judgment of this Court filed in this case on March 31, 2017 (Doc. 31). This Motion should be granted and Plaintiff's Motion for Summary Judgment should be denied for the reasons set forth in the attached Memorandum of Points and Authorities.

Respectfully submitted,

s/ Mark E. Solomons

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